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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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11 THERON KENNETH HOLSTON,
12 Plaintiff,
13 v.
14 BROWN, et al.,
15 Defendants.
16

No. 2:20-CV-2466-KJM-DMC-P

ORDER

17 Plaintiff, who is proceeding pro se, brings this civil rights action under 42 U.S.C.
18 § 1983. Plaintiff has filed a notice of voluntary dismissal of Defendant Brown. See ECF No. 24.
19 Because no answer or motion for summary judgment has been filed, leave of Court is not required
20 and Defendant Brown is dismissed on Plaintiff's notice. See Fed. R. Civ. P. 41(a)(1)(A)(i). The
21 Clerk of the Court is directed to terminate Brown as a defendant to this action, which shall
22 proceed as against Defendant Garcia only.

23 IT IS SO ORDERED.

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25 Dated: January 31, 2022

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27 DENNIS M. COTA
28 UNITED STATES MAGISTRATE JUDGE